

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 329 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 5-10.2-4-8.2 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 8.2. (a)
5 Notwithstanding section 8 of this chapter, if a member who is receiving
6 retirement benefits is elected or appointed to an elected position
7 covered by this article, the member shall file a written, irrevocable
8 election with the board to continue or discontinue retirement benefits
9 while the member holds the elected position.
10 (b) If a member:
11 (1) is elected or appointed to an elected position and:
12 (A) becomes at least fifty-five (55) years of age; and
13 (B) completes at least twenty (20) years of service; or
14 (2) is serving in any other position covered by this article and:
15 (A) becomes at least ~~seventy-five (75)~~ **seventy (70)** years of
16 age; and
17 (B) completes at least twenty (20) years of service;
18 while holding the position, the member may file a written, irrevocable
19 election to begin receiving, while holding the position, retirement
20 benefits to which the member would be entitled by age and service. A
21 member who does not make the irrevocable election while holding the
22 position is entitled to retroactive payments to cover any period from the
23 date the member qualifies to make the election under this subsection
24 to the date the member files the election under this subsection.

(c) The form and content of an election shall be prescribed by the board. If the member elects to discontinue receiving retirement benefits, the member shall make contributions as required in IC 5-10.2-3-2. If the member elects to continue or begin receiving benefits:

(1) the member may continue to make contributions under IC 5-10.2-3-2 but is not required to do so; and

(2) the member waives the accrual of service credit and the right to any supplemental benefit from service in the position, except to the extent that the value of the accrual of additional service credit and any supplemental benefit exceeds the actuarial value of the benefits received under this chapter and that were continued or begun pursuant to an election under this section.

(d) Except to the extent of the liability for any additional benefit accrued under subsection (c)(2), the employer shall make the employer's contribution only for past service liability based on the salary for the position of a member who elects under subsection (a) or (b) to continue or begin receiving retirement benefits.

(e) Section 10 of this chapter applies to a member who elects under subsection (a) to discontinue receiving retirement benefits. Section 10 of this chapter does not apply, while the member holds a position covered by this article, to a member who elects under subsection (a) or (b) to continue or begin receiving retirement benefits."

Renumber all SECTIONS consecutively.

(Reference is to ESB 329 as printed February 22, 2002.)

Representative Hasler